

**TOWNSHIP OF BERKELEY HEIGHTS
UNION COUNTY, NEW JERSEY
COUNCIL MEETING HELD AUGUST 26, 2014**

CALL TO ORDER

At 7:01 p.m. Mayor Bruno called the meeting to order and stated that adequate notice of this meeting has been provided by posting the same on the bulletin board of Town Hall and forwarding a copy to the Courier News and Star Ledger at least forty-eight hours prior to the meeting, all in accordance with the Open Public Meetings Act. This meeting will not go substantially past 10:30 p.m.

ROLL CALL

Mr. Delia, Mr. Hall, Mr. Pirone, Mr. Pastore, Mrs. Kingsley and Mayor Bruno answered present. Mr. Woodruff was absent. Also present was Township Attorney Joseph Sordillo and Township Clerk Ana Minkoff.

EXECUTIVE SESSION – Contract Negotiations/Land Acquisition-Berkeley Heights Public Library

Moved by Mrs. Kingsley to go into Executive Session, seconded by Mr. Pastore and upon roll call vote:
(7:03 p.m.)

Ayes: Mr. Delia, Mr. Hall, Mr. Pirone, Mr. Pastore and Mrs. Kingsley
Nays: None
Abstain: None
Absent: Mr. Woodruff

Moved by Mrs. Kingsley to go out of Executive Session, seconded by Mr. Pastore and upon roll call vote:
(7:24 p.m.)

Ayes: Mr. Delia, Mr. Hall, Mr. Pirone, Mr. Pastore and Mrs. Kingsley
Nays: None
Abstain: None
Absent: Mr. Woodruff

FLAG SALUTE

Mayor Bruno asked everyone present to stand as he led the Flag Salute.

Mayor Bruno explained resolution #4 would be passed before the rest of the agenda is done and he said this resolution is to approve Andrew Friedlander's Eagle Scout project.

Resolution #4

Mr. Hall introduced the following resolution:

4. Resolution authorizing the historical signage project, presented by Andrew Friedlander of Boy Scout Troop 368, to install signage on public property.

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Moved by Mr. Hall to approve resolution #4, seconded by Mrs. Kingsley and upon roll call vote:

Ayes: Mr. Delia, Mr. Hall, Mr. Pirone, Mr. Pastore and Mrs. Kingsley
Nays: None
Abstain: None
Absent: Mr. Woodruff

CONFERENCE SESSION – Discussion on parking by the High School

Mayor Bruno said the Conference Session will be a discussion on the parking by the High School. Mayor Bruno explained last week there was a presentation on the parking by the High School. He said there is a draft copy of the study with recommendations for the parking situation. There were recommendations made by our traffic engineer, town planner and the Berkeley Heights Police Department. The ordinance was supposed to be on the agenda for introduction tonight but it was pulled because there was some concern over the parking area.

There was a lengthy discussion among the Mayor and Township Council on the parking by the High School.

APPROVAL OF MINUTES

Moved by Mr. Delia to approve the following Township Council minutes, seconded by Mrs. Kingsley and upon roll call vote:

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Ayes: Mr. Delia, Mr. Hall, Mr. Pastore and Mrs. Kingsley
Nays: None
Abstain: Mr. Pirone
Absent: Mr. Woodruff

TOWNSHIP COUNCIL REPORTS

Mr. Delia Spoke about the painting of the street curbs in the area of Summit Avenue. He say they have not all been painted yellow, some sections were missed. He said it is a hazard to pull out of Summit Avenue when cars are parked there. He went on to explain what areas needed to be addressed.

Mr. Hall had nothing to report.

Mr. Pirone had nothing to report.

Mr. Pastore had nothing to report.

Mrs. Kingsley had nothing to report.

Mayor Bruno reported there was a grand opening of the Primrose School last Saturday. He congratulated them on the transformation of the area. Mayor Bruno reported he received a phone call from Ted Romankow who requested that we establish a committee for the Memorial Park

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renewal. He said he hopes to have it completed for Memorial Day next year. Mayor Bruno said we will look into this and hopefully have an ordinance ready for the next agenda. Mayor Bruno said Linda Cavanaugh, Business Administrator resigned from her position and he read her resignation letter into the record. He also said we have received some resumes and he will be interviewing people to replace the Administrator with Bob Woodruff. Mayor Bruno also reported a brochure regarding proper disposal for grease have been included in with the tax bills. He explained further and asked Tom McAndrew, Wastewater Treatment Plant Supervisor to speak about the issues with regard to grease disposal.

Tom McAndrew, Wastewater Treatment Plant Supervisor explained what happens with the grease disposal in the sewer system. He also explained what they have done so far and what they will be doing to help with this problem.

Moved by Mr. Pirone to accept and approve the Township Council and Administration Reports, seconded by Mr. Pastore and upon roll call vote:

Ayes: Mr. Delia, Mr. Hall, Mr. Pirone, Mr. Pastore and Mrs. Kingsley
Nays: None
Abstain: None
Absent: Mr. Woodruff

HEARING ON AGENDA ITEMS ONLY

Moved by Mr. Pastore to open the Hearing on the Agenda Items Only, seconded by Mrs. Kingsley and upon roll call vote:

Ayes: Mr. Delia, Mr. Hall, Mr. Pirone, Mr. Pastore and Mrs. Kingsley
Nays: None
Abstain: None
Absent: Mr. Woodruff

Carol Matula of 5 Hastings Road referred to resolution #3 and asked how much tax revenue will be lost with this tax appeal.

Mayor Bruno responded in 2013 \$11,332.00, in 2014 \$11,770.33 for a total of \$23,102.79.

Tom Foregger of 14 Dorsett Road said the discussion on the parking was very interesting. He tends to agree with most of the Council. Mr. Foregger said there may be two root causes that are not being addressed and he went on to explain them.

A discussion continued.

Michael Burke of Sussex Road thanked the Mayor and Township Council for their continued attention to this matter. He said he did advocate for targeted parking restrictions. He went on to explain. Mr. Burke said they are concerned with the current proposal and he explained further in detail.

A discussion continued.

Cindy Reese of 17 Crest Drive said in light of the discussion she asked the Township Council to delay the ordinance until the residents have had a chance to speak to the Board of Education to present their side of the story. Mrs. Reese spoke about her safety concerns backing out of her driveway when cars are parked there. She spoke about this in length.

Mayor Bruno responded to Mrs. Reese's remarks and questions.

A discussion again continued. Mrs. Reese continued with her comments and questions. She also commented on the traffic study.

Mr. Hall said there is a lifestyle issue as well as a safety issue. He said he is concerned that the ordinance which is passed is the right thing. Mr. Hall does not feel that this should be rushed into. We must be sure what we pass is the right ordinance.

The discussion again continued with Council members and Mrs. Reese. The discussion involved the parking issue and the school board involvement.

Hearing no voices, moved by Mr. Pastore to close the Hearing on the Agenda Items Only, seconded by Mrs. Kingsley and upon roll call vote:

Ayes: Mr. Delia, Mr. Hall, Mr. Pirone, Mr. Pastore and Mrs. Kingsley
Nays: None
Abstain: None
Absent: Mr. Woodruff

**PUBLIC HEARING AND FINAL ADOPTION OF ORDINANCE
INTRODUCED ON AUGUST 12, 2014**

The Clerk presented and read:

- (1) "AN ORDINANCE OF THE TOWNSHIP OF BERKELEY HEIGHTS, COUNTY OF UNION, STATE OF NEW JERSEY, AMENDING, REVISING AND SUPPLEMENTING SECTION 2.100.040 ENTITLED "QUALIFICATIONS FOR APPOINTMENT" OF CHAPTER 2.100 ENTITLED "POLICE DIVISION" OF TITLE 2 ENTITLED "ADMINISTRATION AND PERSONNEL" TO AMEND AND UPDATE THE PROVISIONS GOVERNING THE MINIMUM REQUIREMENTS FOR NEW HIRES IN THE POLICE DIVISION OF THE DEPARTMENT OF PUBLIC SAFETY."** (Explanation: This ordinance amends and updates the Township's Administrative Code (Title 2 of the code of the Township of Berkeley Heights) as adopted by Ordinance No. 2-2010, and revised by Ordinance No. 14-2010) to amend the requirements for new hires in the Police Division of the Department of Public Safety.)

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Moved by Mrs. Kingsley to open the public hearing on the ordinance as read by the Township Clerk, seconded by Mr. Pastore and carried.

Carol Matula of 5 Hastings Road asked if the written exam for the Police Department is a standard exam or is it an exam that is developed by our Police Chief.

Acting Police Chief DiPasquale responded it is a state exam.

Mrs. Matula asked if it is the same for the physical fitness test.

Acting Police Chief DiPasquale responded the physical fitness test is standardized and the Police Chief decides what the test will be.

Mrs. Matula asked for an explanation of section B of the ordinance regarding the Mayor's appointment of the applicant to the Police Department.

Joseph Sordillo, Township Attorney went on to explain section B of the ordinance.

Upon roll call vote:

Ayes: Mr. Delia, Mr. Hall, Mr. Pirone, Mr. Pastore and Mrs. Kingsley
Nays: None
Abstain: None
Absent: Mr. Woodruff

Moved by Mrs. Kingsley to close the public hearing on the ordinance as read by the Township Clerk, seconded by Mr. Pastore and upon roll call vote:

Ayes: Mr. Delia, Mr. Hall, Mr. Pirone, Mr. Pastore and Mrs. Kingsley
Nays: None
Abstain: None
Absent: Mr. Woodruff

Hearing no voices, moved by Mrs. Kingsley that the ordinance as read by the Township Clerk and hearing held hereon is adopted on final passage and the Township Clerk is directed to advertise it in the Courier News, seconded by Mr. Pastore and upon roll call vote:

Ayes: Mr. Delia, Mr. Hall, Mr. Pirone, Mr. Pastore and Mrs. Kingsley
Nays: None
Abstain: None
Absent: Mr. Woodruff

**NEW BUSINESS- RESOLUTION
OFFICIAL ACTION WILL BE TAKEN ON THE FOLLOWING:**

RESOLUTIONS

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Mr. Delia introduced the following resolution:

1. Resolution approving Bill List dated August 26, 2014 in the amount of \$507,795.47.

Moved by Mr. Delia to approve resolution #1, seconded by Mrs. Kingsley and upon roll call vote:

Ayes: Mr. Delia, Mr. Hall, Mr. Pirone, Mr. Pastore and Mrs. Kingsley
Nays: None
Abstain: None
Absent: Mr. Woodruff

Mrs. Kingsley introduced the following resolution:

2. Resolution authorizing insertion of the “2014 Drive Sober or Get Pulled Over Labor Day Crackdown” in the budget of the year 2014 in the amount of \$5,000.00.

Moved by Mrs. Kingsley to approve resolution #2, seconded by Mr. Pastore and upon roll call vote:

Ayes: Mr. Delia, Mr. Hall, Mr. Pirone, Mr. Pastore and Mrs. Kingsley
Nays: None
Abstain: None
Absent: Mr. Woodruff

Mr. Pirone introduced the following resolution:

3. Resolution authorizing a tax settlement appeal with JDP Development Company, LLC, 221 Sherman Avenue, Block 702 Lot 7.

Moved by Mr. Pirone to approve resolution #3, seconded by Mr. Pastore and upon roll call vote:

Ayes: Mr. Hall, Mr. Pirone, Mr. Pastore and Mrs. Kingsley
Nays: Mr. Delia
Abstain: None
Absent: Mr. Woodruff

CONSENT AGENDA

All matters listed under Consent Agenda are considered routine by the Township Council and will be enacted upon by one motion; there will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

Mr. Pastore introduced the following resolutions:

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(5)

- a. Resolution authorizing a block party on Chaucer Drive on September 6, 2014 from 3:00 – 7:00 p.m.
- b. Resolution authorizing the Tax Collector to refund the following 2014 tax overpayments:

1. Berkeley Square, LLC	240 Springfield Avenue	\$1,574.78
2. Patricia Vogel	47 Chestnut Hill Drive	\$3,208.54

Moved by Mr. Pastore to approve Consent Agenda resolutions #5a-b, seconded by Mrs. Kingsley and upon roll call vote:

Ayes: Mr. Delia, Mr. Hall, Mr. Pirone, Mr. Pastore and Mrs. Kingsley
Nays: None
Abstain: None
Absent: Mr. Woodruff

ORDINANCES

INTRODUCTION OF ORDINANCES

Public Hearing and Final Adoption scheduled for September 9, 2014.

The Clerk presented and read:

(1)“AN ORDINANCE AMENDING THE MINIMUM AND MAXIMUM RATE OF SALARY AND COMPENSATION OF ELECTED AND APPOINTED TOWNSHIP OFFICIALS, AND NON-UNION EMPLOYEES IN THE VARIOUS MUNICIPAL DEPARTMENTS OF THE TOWNSHIP OF BERKELEY HEIGHTS.”

Moved by Mrs. Kingsley that the ordinance as read by the Township Clerk is offered on first reading and the date of 9/9/14 is set as the date for public hearing and the Township Clerk is directed to advertise it in the Courier News, seconded by Mr. Pastore and upon roll call vote:

Ayes: Mr. Delia, Mr. Hall, Mr. Pirone, Mr. Pastore and Mrs. Kingsley
Nays: None
Abstain: None
Absent: Mr. Woodruff

CITIZENS HEARING

Moved by Mr. Pastore to open the Citizens Hearing, seconded by Mr. Hall and upon roll call vote:

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Ayes: Mr. Delia, Mr. Hall, Mr. Pirone, Mr. Pastore and Mrs. Kingsley
Nays: None
Abstain: None
Absent: Mr. Woodruff

Tom Foregger of 14 Dorsett Road asked why only three employees are being changed on the salary ordinance.

Mayor Bruno responded those three needed to be changed because they are already at the maximum salary range.

Gerald Kuzmik of Eaton Court said we should make sure the microphones in the meeting room are all in working order for the public hearings scheduled in September. Mr. Kuzmik thanked the Township for taking down a dead tree that he has been pursuing for the last two years. The tree removal company did a professional job with cleaning up. Mr. Kuzmik said with the Administrator leaving he wanted to remind the Township Council not to forget about following up on the river clean-up project.

Mr. Hall responded he met with the engineering department to ensure that the project continues. He will give updates going forward at each Council meeting on the river clean-up project.

A discussion continued. Mr. Kuzmik continued with his remarks and questions regarding the river clean-up and Mr. Hall responded to his questions.

Hearing no voices, moved by Mr. Pastore to close the Citizens Hearing, seconded by Mrs. Kingsley and upon roll call vote:

Ayes: Mr. Delia, Mr. Hall, Mr. Pirone, Mr. Pastore and Mrs. Kingsley
Nays: None
Abstain: None
Absent: Mr. Woodruff

Mayor Bruno announced there will be a September 11th Memorial at Bicentennial Park on Park Avenue at 8:30 a.m. on September 11th.

ADJOURNMENT

Moved by Mrs. Kingsley to adjourn, seconded by Mr. Pastore and upon roll call vote:
(8:53 p.m.)

Ayes: Mr. Delia, Mr. Hall, Mr. Pirone, Mr. Pastore and Mrs. Kingsley
Nays: None
Abstain: None
Absent: Mr. Woodruff

Approved: September 23, 2014